

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.790 OF 2006
IN
CRIMINAL APPLICATION NO.1976 OF 2006

Yokogawa Electric Corporation ...Applicant
VS.
M/s.Silgate Technologies Pvt.Ltd. & ors. ...Respondents
Mr.Subodh Desai for the Applicant Mr.K.G.Menon, Sr.Adv. i/b
M/s.Mulla & Mulla & Craigie Blunt & Caroe for the Respondents

CORAM: A.S.OKA, J.
DATE : DECEMBER 1, 2006.

P.C.:

1. Heard Shri Desai for the Applicant. The prayer in this Application is for vacating interim relief granted by this Court on 18th May 2006. In the alternative, a prayer is made for fixing an early date of hearing of the main Application.
2. Criminal Application No.1976 of 2006 has been filed for challenging the order passed by the learned Magistrate of issuing process. The said order has been confirmed in revision. This court has already issued rule and admitted the Application for final hearing. Considering the nature of the controversy involved in the Application, interim relief cannot be vacated. Hence, prayer for vacating interim is rejected.
3. So far as prayer for fixing an early date of hearing is concerned, there are very old Appeals and Applications pending in this Court for final hearing. No case is made out for giving a priority over very old matters considering the fact that the Application arises out of a private complaint alleging commission of offence of defamation. Hence, Application is rejected.

